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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,145	10/05/2000	David Drell	1204US	2642

22830 7590 11/18/2003

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EXAMINER

BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 11/18/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/684,145

Applicant(s)

DRELL, DAVID

Examiner

Yasin M Barqadle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5 6) ☐ Other: ____

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DETAILED ACTION

Claims 1-12 are presented for examination.

Specification

The abstract of the disclosure is objected to because it is more than 150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before

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November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-6 and 8-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Ludwig et al US (6437818).

As per claim 1, Ludwig et al teach a multi-point conferencing apparatus for conducting a conference with a plurality of remote conference endpoints linked for communication by a network, the apparatus comprising (fig.1):

a multi-point conference application (col. 2, lines 66 to col. 3, line 17) for receiving audio and video signals from the plurality of remote conference endpoints, processing the received audio and video signals, combining the processed audio and video signals with the local audio and video signals, and transmitting the combined audio and video signals to each of the plurality of remote conference endpoints (col. 6, lines 27-53), the multi point conference application being configured to create a plurality of processing trains corresponding to the plurality of remote conference endpoints (Figs 3&4), each processing train processing audio and video signals from a selected one of the remote conference endpoints (See Figs 3&4; Col. 7, lines 62 to col. 8, line 62; col. 11, lines 25-55].

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As per claim 2, Ludwig et al teach the apparatus of claim 1, wherein the multi-point conference application comprises a circuit switch for instantiating the plurality of processing trains, the circuit switch including dynamically allocable inverse multiplexers [fig. 3 and 4; col. 10, line 21-58].

As per claim 3, Ludwig et al teach apparatus of claim 1, wherein the multi-point conference application includes a video switching module for combining the remote and local video signals, and an audio mixer for combining the remote and local audio signals, the video switching module and audio mixer directing the combined signals as input to each of the processing trains [col. 8, line 62 and col. 11, lines 25-55. see also fig. 7 and 9].

As per claim 4, Ludwig et al teach apparatus of claim 3, wherein the video switching module is selectively operable in a continuous presence mode, wherein images corresponding to each of the plurality of conference endpoints are displayed in separate areas of a composite image [col. 19, lines 2-55 and col. 24, 17-47].

As per claim 5, Ludwig et al teach apparatus of claim 1, further comprising a plurality of ISDN ports, each coupleable to an ISDN line, for receiving and transmitting audio and video signals from and to the conference endpoints over the network, each conference

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endpoint having at least one of the plurality of ISDN ports corresponding thereto [col. 10, lines 36-58].

As per claim 6, Ludwig et al teach apparatus of claim 1, wherein each of the plurality of processing trains comprises a communication process and a set of codecs [col. 10, lines 22-65].

As per claim 8, this is method claim with same limitations as the apparatus claim 1 above. Therefore, it is rejected with the same rationale.

As per claim 9, Ludwig et al teach the method of claim 8, wherein the step of creating a plurality of processing trains includes creating a communication process and a set of codecs [col. 10, lines 22 to col. 11, lines 37].

As per claim 10, Ludwig et al teach method of claim 8, wherein the step of combining the processed audio and video signals is performed using an audio mixer and a video switching module [col. 4, lines 46-53].

As per claim 11, Ludwig et al teach method of claim 8 further comprising providing a circuit switch for instantiating the plurality of processing trains, the circuit witch including

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dynamically allocable inverse multiplexers [fig. 3 and 4; col. 10, line 21-58].

As per claim 12, Ludwig et al teach method of claim 10, wherein the video switching module is selectively operable in a continuous presence mode, wherein images corresponding to each of the plurality of conference endpoints are displayed in separate areas of a composite image [col. 19, lines 2-55 and col. 24, 17-47].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al US (6437818) in view of Hale et al US (6288739).

As per claim 7, although Ludwig et al shows substantial features of the claimed invention, he does not explicitly show a

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communication process that comprises an H.320 communication process.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Ludwig et al, as evidenced by Hales et al USPN. (6288739).

In analogous art, Hales et al whose invention is also about distributed video communication (multi-party conferencing) system disclose a communication system that utilizes an H.320 communication process [Col. 25, lines 40-49].

Giving the teaching of Hales et al, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Ludwig et al by employing the system of Hales et al so that video conferencing data are efficiently communicated in a format compatible with ISDN telephone lines.

Conclusion

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 703-305-5971. The examiner can normally be reached on 9:00 AM to 5:30 PM.

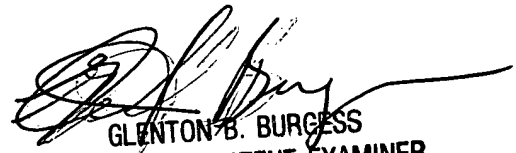
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be

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reached on 703-305-9717. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Yasin Barqadle


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